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MATTHEW G. SILVA,

v.

CARLA SCHETTLER, et al.,

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NO. CV-08-5041-EFS

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

ORDER DENYING PLAINTIFF'S MOTION FOR RELIEF FROM JUDGMENT

Plaintiff Matthew Silva seeks relief from the judgment (Ct. Rec. 38) entered in Defendants' favor. (Ct. Rec. 48). In addition, Plaintiff requests oral argument. (Ct. Rec. 56.) Upon review, the Court denies Plaintiff relief. First, the Court finds oral argument is unnecessary. Second, the Court determines relief from the judgment is not appropriate pursuant to Federal Rule of Civil Procedure 60(b). The Court maintains its decision that Plaintiff's failure to abide by Washington State Petitionary's grievance system warrants dismissal of this action without prejudice.

Accordingly, IT IS HEREBY ORDERED:

Plaintiff,

Defendants.

- Plaintiff's Motion to Shorten Time Re Motion for Oral Argument of Rule 60(b) Motion (Ct. Rec. 55) is GRANTED.
- Plaintiff's Motion for Oral Argument of Rule 60(b) Motion (Ct. Rec. 56) is DENIED.

ORDER ~ 1

1	3. Plaintiff's Motion for Relief from Judgment (Ct. Rec. $\underline{48}$) is
2	DENIED.
3	4. Plaintiff shall file no other documents absent prior Court
4	approval.
5	IT IS SO ORDERED. The District Court Executive is directed to enter
6	this Order and provide a copy to defense counsel and to Plaintiff.
7	DATED this <u>12th</u> day of February 2010.
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9	S/ Edward F. Shea EDWARD F. SHEA
10	United States District Judge
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	ORDER ~ 2